
SENATE BILL 6315

State of Washington 57th Legislature

2002 Regular Session

By Senators Gardner, Snyder, Carlson, Roach, Winsley, Hale and Rasmussen; by request of Secretary of State

Read first time 01/15/2002. Referred to Committee on State & Local Government.

1 AN ACT Relating to funding and expenditures of the secretary of
2 state; amending RCW 43.07.037, 43.07.130, 40.14.020, and 42.17.710;
3 adding a new section to chapter 43.07 RCW; and adding a new section to
4 chapter 42.52 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 43.07.037 and 1996 c 253 s 105 are each amended to
7 read as follows:

8 The secretary of state (~~and the council~~) may solicit and accept
9 gifts, grants, conveyances, bequests, and devises, of real or personal
10 property, or both, in trust or otherwise, and sell, lease, exchange,
11 invest, or expend these donations or the proceeds, rents, profits, and
12 income from the donations except as limited by the donor's terms.
13 These receipts and expenditures must be accounted for in the secretary
14 of state's revolving fund. These expenditures do not require
15 legislative appropriation and will be managed by the secretary of
16 state. The secretary of state shall adopt rules to govern and protect
17 the receipt and expenditure of the proceeds. Soliciting and accepting
18 such receipts and making such expenditures is not considered a

1 violation of ethical standards. Such receipts and expenditures must be
2 limited to:

- 3 (1) Conducting oral histories;
4 (2) Archival activities; and
5 (3) International trade hosting and missions.

6 NEW SECTION. Sec. 2. A new section is added to chapter 43.07 RCW
7 to read as follows:

8 The secretary of state may fund oral history activities through
9 donations as provided in RCW 43.07.037. The activities may include,
10 but not be limited to, conducting interviews, preparing and indexing
11 transcripts, publishing transcripts and photographs, and presenting
12 displays and programs. Donations that do not meet the criteria of the
13 oral history program may not be accepted. The secretary of state shall
14 adopt rules necessary to implement this section.

15 **Sec. 3.** RCW 43.07.130 and 1994 c 211 s 1311 are each amended to
16 read as follows:

17 There is created within the state treasury a revolving fund, to be
18 known as the "secretary of state's revolving fund," which shall be used
19 by the office of the secretary of state to defray the costs of
20 printing, reprinting, or distributing printed matter authorized by law
21 to be issued by the office of the secretary of state, and any other
22 cost of carrying out the functions of the secretary of state under
23 Title 23B RCW, (~~(e)~~) chapters 18.100, 23.86, 23.90, 24.03, 24.06,
24 24.12, 24.20, 24.24, 24.28, 24.36, 25.15, (~~(e)~~) 25.10, or 40.14 RCW,
25 or RCW 43.07.220.

26 The secretary of state is hereby authorized to charge a fee for
27 such publications in an amount which will compensate for the costs of
28 printing, reprinting, and distributing such printed matter. Fees
29 recovered by the secretary of state under RCW 43.07.120(2), 23B.01.220
30 (1)(e), (6) and (7), 23B.18.050, 24.03.410, 24.06.455, or 46.64.040,
31 and such other moneys as are expressly designated for deposit in the
32 secretary of state's revolving fund shall be placed in the secretary of
33 state's revolving fund.

34 **Sec. 4.** RCW 40.14.020 and 1995 c 326 s 1 are each amended to read
35 as follows:

1 All public records shall be and remain the property of the state of
2 Washington. They shall be delivered by outgoing officials and
3 employees to their successors and shall be preserved, stored,
4 transferred, destroyed or disposed of, and otherwise managed, only in
5 accordance with the provisions of this chapter. In order to insure the
6 proper management and safeguarding of public records, the division of
7 archives and records management is established in the office of the
8 secretary of state. The state archivist, who shall administer the
9 division and have reasonable access to all public records, wherever
10 kept, for purposes of information, surveying, or cataloguing, shall
11 undertake the following functions, duties, and responsibilities:

12 (1) To manage the archives of the state of Washington;

13 (2) To centralize the archives of the state of Washington, to make
14 them available for reference and scholarship, and to insure their
15 proper preservation;

16 (3) To inspect, inventory, catalog, and arrange retention and
17 transfer schedules on all record files of all state departments and
18 other agencies of state government;

19 (4) To insure the maintenance and security of all state public
20 records and to establish safeguards against unauthorized removal or
21 destruction;

22 (5) To establish and operate such state record centers as may from
23 time to time be authorized by appropriation, for the purpose of
24 preserving, servicing, screening and protecting all state public
25 records which must be preserved temporarily or permanently, but which
26 need not be retained in office space and equipment;

27 (6) To adopt rules under chapter 34.05 RCW:

28 (a) Setting standards for the durability and permanence of public
29 records maintained by state and local agencies;

30 (b) Governing procedures for the creation, maintenance,
31 transmission, cataloging, indexing, storage, or reproduction of
32 photographic, optical, electronic, or other images of public documents
33 or records in a manner consistent with current standards, policies, and
34 procedures of the department of information services for the
35 acquisition of information technology;

36 (c) Governing the accuracy and durability of, and facilitating
37 access to, photographic, optical, electronic, or other images used as
38 public records; or

39 (d) To carry out any other provision of this chapter;

1 (7) To gather and disseminate to interested agencies information on
2 all phases of records management and current practices, methods,
3 procedures, techniques, and devices for efficient and economical
4 management and preservation of records;

5 (8) To operate a central microfilming bureau which will microfilm,
6 at cost, records approved for filming by the head of the office of
7 origin and the archivist; to approve microfilming projects undertaken
8 by state departments and all other agencies of state government; and to
9 maintain proper standards for this work;

10 (9) To maintain necessary facilities for the review of records
11 approved for destruction and for their economical disposition by sale
12 or burning; directly to supervise such destruction of public records as
13 shall be authorized by the terms of this chapter; ((and))

14 (10) To assist and train state and local agencies in the proper
15 methods of creating, maintaining, cataloging, indexing, transmitting,
16 storing, and reproducing photographic, optical, electronic, or other
17 images used as public records;

18 (11) To solicit, accept, and expend donations as provided in RCW
19 43.07.037 for the purpose of the archive program. These purposes
20 include, but are not limited to, acquisition, accession,
21 interpretation, and display of archival materials. Donations that do
22 not meet the criteria of the archive program may not be accepted.

23 **Sec. 5.** RCW 42.17.710 and 1993 c 2 s 11 are each amended to read
24 as follows:

25 During the period beginning on the thirtieth day before the date a
26 regular legislative session convenes and continuing thirty days past
27 the date of final adjournment, and during the period beginning on the
28 date a special legislative session convenes and continuing through the
29 date that session adjourns, no state official or a person employed by
30 or acting on behalf of a state official or state legislator may solicit
31 or accept contributions to a public office fund, to a candidate or
32 authorized committee, or to retire a campaign debt. Persons soliciting
33 or accepting contributions for the secretary of state's revolving fund,
34 as used for the limited purposes of RCW 43.07.037, are exempt from this
35 limitation.

36 NEW SECTION. **Sec. 6.** A new section is added to chapter 42.52 RCW
37 to read as follows:

1 When soliciting charitable gifts, grants, or donations solely for
2 the limited purposes of RCW 43.07.037, members of the office of
3 secretary of state and oral history advisory committee are exempt from
4 this chapter.

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